

COPY

1: CV01-1098

June 9, 2001

I, Robert C. Weldon,
am currently housed in
the R. H. U. and am unable
to pay the \$150.00 filing
fee at this time!

Note: Complaint is not accurate!!
Due to the "Fact" that
the following Sgt. Lewis; Officers
Gibloon, Sartini, and McDermott
came to my cell and Removed
"Handwritten Documented account"
of all paperwork that was sent
to D.O.C. and State Personnel!
Grievance Ensued!!

RECEIVED
SCRANTON

JUN 12 2001

MARY E. D'ANDREA, CLERK
Per [Signature] Deputy Clerk

Signed:

Robert C. Weldon
DL 7681

Robert C. Weldon

**FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS
COMPLAINT UNDER 42 U.S.C. § 1983**

COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

The cost for filing a civil rights complaint is \$150.00.

If you do not have sufficient funds to pay the full filing fee of \$150.00 you need permission to proceed *in forma pauperis*. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will collect 20% of the preceding month's deposits or balance.

CAUTION: YOUR OBLIGATION TO THE OUTCOME OF YOUR CASE DEFENDANTS ARE SERVED.

ly payments of 20% paid.

REGARDLESS OF THE OUTCOME OF YOUR CASE, YOU MUST PAY THE FILING FEE BEFORE THE COURT WILL ACCEPT YOUR COMPLAINT.

1. You may file a complaint and mailing it to the Clerk of Court. If you submit this fee along with the complaint, you DO NOT have to complete the rest of the forms in this packet. Check here if you are submitting the filing fee with the complaint form. ☐

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three attached forms or your complaint may be returned to you by the Clerk of Court. Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees. ☒

Please Note: If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DL 7681

(Inmate Number)

Robert C. Weldon

(Name of Plaintiff)

1000 Follies Rd.

(Address of Plaintiff)

Dallas, Pa. 18612

vs.

See Exhibit A
For Defendants

(Names of Defendants)

1 : CV01-1098
(Case Number)

COMPLAINT

**FILED
SCRANTON
JUN 20 2001**

PER RW
DEPUTY CLERK

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?
☒ Yes ☐ No
- B. Have you filed a grievance concerning the facts relating to this complaint?
☒ Yes ☐ No

If your answer is no, explain why not _____

- C. Is the grievance process completed? ☒ Yes ☐ No

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

- A. Defendant Mr. Nork is employed
as correctional officer at S.C.I. DALLAS
- B. Additional defendants See attached note -
book Paper, Labeled Exhibit A, for
additional defendants

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

1. Feb. 22, 2001 I was a witness for an inmate Willie
Matthews. Feb 23, 2001, Mr. Nork approached
my cell and made a verbal threat: "I will get
you nigger ^{lower} if it's the last thing I do, I will
get you"
2. Feb. 27, I recieved Feb. 27, 2001, I
recieved a misconduct for fondling
an inmates genital's
3. I have gone through the entire
~~at~~ chain of command by filing
both appeal and grievance! And, I'm
being hindered from any results!

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I would like to be awarded
2 million for my good name
and stature; For my surrounding
of my fellow inmates; and, for
2. my stress and anger; and, my
family as well; as well as
my ~~s~~ Constitutional Rights!

3.

Signed this 9TH day of June, 2001.

Robert C. Weldon
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

6/9/2001
(Date)

Robert C. Weldon
(Signature of Plaintiff)

Exhibit A
Page I

Mr. Nork - Correctional Officer, Who also wrote the misconduct

Mr. Jones - Hearing Examiner

Mr. Yackiel - Unit Manager - Also part of Program Review Committee

Mr. Donald Jones - Major of the Guard, also Part of Program Review Committee

Mr. Thomas Stachelek - Deputy Warden, also part of Program Review Committee

Mr. Kenneth Burnett - Superintendants Asst. (Grievance Coordinator for Dallas) also Part of Program Review Committee

Mr. Varner - Superintendant / Warden

Mr. Weber - Lt., Gave written statement to

Mr. McClosky - Lt., Gave Verbal statement to

Mr. Randy Schoonover - Intelligence Capt.

Mr. Robert Bitner - Chief Hearing Examiner

Exhibit A
Page II

Central Office Review Committee
(C.O.R.C.) where final Grievance
is sent

Ms. Tshanna C. Kyler - Sent
advising letter to!

Sgt. Lewis & Officers Gibbon,
Sartini, McDermott: They
have hindered me by taking
"Handwritten Documented account"
of all paperwork from me!